

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT LARAMIE GOMES,

Plaintiff,

v.

YAKIMA POLICE DEPARTMENT,

Defendant.

CASE NO. 2:23-cv-00505-TL-BAT

**ORDER GRANTING
APPLICATION TO PROCEED *IN
FORMA PAUPERIS* AND
DIRECTING INSTITUTION TO
COLLECT, AND FORWARD
PAYMENTS AND DENYING
APPOINTMENT OF COUNSEL**

Plaintiff is a prisoner proceeding *pro se* in this civil rights action. The Court has reviewed plaintiff's application to proceed *in forma pauperis*, Dkt. 6., and his motion for appointment of counsel, *id.*, and ORDERS as follows:

(1) The Court GRANTS plaintiff's application to proceed *in forma pauperis* (Dkt. 6).

(2) Pursuant to 28 U.S.C. § 1915, and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above-named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of the greater of either: (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the 6-month period immediately preceding the date of this Order. The initial partial filing fee should be forwarded to the Clerk of Court as soon as practicable.

ORDER GRANTING APPLICATION TO PROCEED IN
FORMA PAUPERIS AND DIRECTING INSTITUTION TO
COLLECT, AND FORWARD PAYMENTS AND DENYING
APPOINTMENT OF COUNSEL - 1

1 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency having
2 custody of the prisoner is directed to collect and forward payments equal to 20 percent of the
3 prisoner's preceding month's income credited to the prisoner's account. In the event that the
4 monthly payment would reduce the prisoner's account below \$10.00, the agency should collect
5 and forward only that amount which would reduce the prisoner's account to the \$10.00 level.
6 Please note that this \$10.00 limit does not apply to the initial partial filing fee described above.
7 Finally, the monthly payments should be collected and forwarded to the Court until the entire
8 filing fee (\$350.00) for this matter has been paid.

9 (3) The Court DENIES the motion for counsel, Dkt. 6. The Court has screened the
10 complaint and has already recommended it be dismissed as untimely. *See* Dkt. 5.

11 (3) The Clerk is directed to send a copy of this Order to plaintiff, to the financial
12 officer of this Court, and to the agency having custody of plaintiff.

13 DATED this 20th day of April, 2022.

14
15 
16 _____
BRIAN A. TSUCHIDA
United States Magistrate Judge